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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ARIZONA**

Joseph M. Mendoza, a married man,

Plaintiff,

vs.

John P. and Dolores A. Klokis, husband
 and wife; *et al.*,

Defendants.

No. CV-13-01462-PHX-DGC

**PLAINTIFF'S UNOPPOSED
 MOTION FOR EXTENSION OF
 TIME TO FILE MOTION FOR AN
 AWARD OF ATTORNEYS' FEES
 AND RELATED NON-TAXABLE
 EXPENSES (first request)**

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Plaintiff Joseph M. Mendoza ("Mendoza"), respectfully requests the Court enter an Order extending the time for him to file his Motion for an Award of Attorneys' Fees and Related Non-Taxable Expenses pursuant to LRCiv 54.2 from Friday, January 24, 2014 to Friday, February 14, 2014. Defendants John P. Klokis, *et al.* do not oppose this motion.

Between now and January 24, 2014 counsel for Mendoza have a hefty schedule that will make it extremely difficult, if not impossible, to complete this upcoming filing in a full and complete manner. In particular, undersigned counsel, Nicholas J. Enoch, is preparing to begin a four-day jury trial on Tuesday, January 21, 2014 in the matter of *Reyes v. Garcia LaFarga*, No. CV-11-1998-PHX-SMM. In addition, his law partner, Jarrett J. Haskovec, is scheduled to begin an at least four-to-six-day unfair labor practice proceeding with the National Labor Relations Board on Tuesday, January 21, 2014 in the matter of *IBEW L. 769 v. Bombardier Transportation (Holdings) USA, Inc.*, NLRB

Charge Nos. 28-CA-105137, *et al.* In addition, counsel have many other court-imposed deadlines to attend to in the next four weeks, including, filing an answer and summary judgment briefing. Given the large amount of time needed to prepare for, and conduct, these two proceedings, and other matters, Mendoza's counsel needs the additional three weeks to prepare Mendoza's forthcoming fee application.

Moreover, with the granting of additional time it is possible that the parties will be able to fully explore the possibility of settling this particular issue amongst themselves, thus potentially saving them and, in turn, the Court, a considerable amount of time and effort having to address this topic.

WHEREFORE, Mendoza respectfully requests that he be given until Friday, February 14, 2014 to file his Motion for an Award of Attorneys' Fees and Related Non-Taxable Expenses pursuant to LRCiv 54.2.

RESPECTFULLY SUBMITTED this 17th day of January 2013.

LUBIN & ENOCH, P.C.

/s/ Nicholas J. Enoch
Nicholas J. Enoch, Esq.
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of January 2014, I electronically transmitted the attached Motion to the U.S. District Court Clerk's office using the CM/ECF System for filing. I further certify that, on this same date, I caused a courtesy copy of the attached to be hand-delivered to the following recipient:

Honorable David G. Campbell
United States District Court
Sandra Day O'Connor U.S. Courthouse, Ste. 623
401 West Washington Street, SPC 58
Phoenix, Arizona 85003-2156

/s/ Cristina Sanidad

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